

MEETINGS TO DATE 30
NO. OF REGULARS 18
NO. OF SPECIALS 12

LANCASTER, NEW YORK
October 1, 1990

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 1st day of October, 1990, at 7:00 P.M. and there were

PRESENT: RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN
DONNA STEMPIAK, PLANNING BOARD CHAIRMAN
JOHN P. GOBER, PLANNING BOARD MEMBER
GEORGE E. O'NEIL, PLANNING BOARD MEMBER
MELVIN H. SZYMANSKI, PLANNING BOARD MEMBER

ABSENT: STANLEY JAY KEYSA, SUPERVISOR
MILDRED WHITTAKER, PLANNING BOARD MEMBER
ANTHONY FRANJOINE, PLANNING BOARD MEMBER
JOHNSTON N. REID, JR., PLANNING BOARD MEMBER

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
RICHARD J. SHERWOOD, TOWN ATTORNEY
ROBERT L. LANEY, BUILDING INSPECTOR

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of one action.

Councilman Giza acted as Chairman of this meeting in the absence of Supervisor Keysa.

IN THE MATTER OF THE SEQR REVIEW OF THE
ADRIAN J. ANDRUSZ REZONE PETITION

The joint board then proceeded with the Environmental Assessment on the proposed Adrian J. Andrusz Rezone matter with an item for item review and discussion of the project impact and magnitude as outlined on an Full Environmental Assessment Form Part 2 which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY PLANNING BOARD CHAIRMAN STEMPIAK
WHO MOVED ITS ADOPTION, SECONDED BY
PLANNING BOARD MEMBER GOBER, TO WIT:

RESOLVED, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION
ADRIAN J. ANDRUSZ REZONE PETITION
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact, the lead agency, now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Nicholas LoCicero, Deputy Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 38.6 acres.

The location of the premises being reviewed is at the south east corner of Wehrle Drive and North Maple Drive.

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will result in a small to moderate physical change to the project site. Construction will continue for an estimated four to five years.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will have a small to moderate affect on surface or ground water quality or quantity. The proposed action will use approximately 45,000 gallons of water a year.

32X1

6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will not affect air quality.
8. The proposed action will have a small to moderate affect on threatened or endangered species.
9. The proposed action will not substantially affect non-threatened or endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will have a small to moderate affect on aesthetic resources.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance. A stage 1 cultural resource investigation was done for the proposed action and found no impact on cultural resources.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The proposed action will have a small to moderate effect on existing transportation systems.
15. The proposed action will have a small to moderate affect on the community's sources of fuel or energy supply.
16. There will be, during construction only, small to moderate objectional odors, noise, or vibration as a result of this proposed action.
17. The proposed action will not affect public health and safety.
18. The proposed action will have a small to moderate affect on the character of the existing community. The proposed action will have a positive effect of creating additional jobs.
19. There is not, or is there likely to be, public controversy related to potential adverse environmental impacts.

s/s _____

Stanley Jay Keysa, Supervisor
Town of Lancaster

October 1, 1990

and,

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BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR KEYSA WAS ABSENT
COUNCILMAN GIZA VOTED YES
COUNCILMAN CZAPLA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
PLANNING BOARD CHAIR. STEMPIAK VOTED YES
PLANNING BOARD MEMBER FRANJOINE WAS ABSENT
PLANNING BOARD MEMBER GOBER VOTED YES
PLANNING BOARD MEMBER O'NEIL VOTED YES
PLANNING BOARD MEMBER REID WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI VOTED YES
PLANNING BOARD MEMBER WHITTAKER WAS ABSENT

The Notice of Determination was thereupon unanimously adopted.

October 1, 1990

ON MOTION DULY MADE, SECONDED AND CARRIED, by voice vote, the joint meeting was adjourned at 7:45 P.M.

Signed

Robert P. Thill
Robert P. Thill, Town Clerk

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MEETINGS TO DATE 31
NO. OF REGULARS 19
NO. OF SPECIALS 12

LANCASTER, NEW YORK
OCTOBER 1, 1990

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 1st day of October 1990 at 8:00 P.M. and there were

PRESENT: RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN
STANLEY JAY KEYSA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
BRUCE SHEARER, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
NICHOLAS LO CICERO, DEPUTY TOWN ATTORNEY
ROBERT L. LANEY, BUILDING INSPECTOR
THOMAS E. FOWLER, CHIEF OF POLICE

REPORTS - ACTIONS AND DIRECTIVES:

The Town Clerk reported that the Supervisor of the Town of Lancaster has filed with his office the 1991 Supervisor's Tentative Budget along with a budget message.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town
Board, held on September 20, 1990, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 1, 1990

File: R.MIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Board has been requested to authorize the Supervisor to advise the owner of 15 Hidden Trail that the Town will not cause or attempt to cause the forced removal of the residence thereon as the result of the encroachment into a fifteen (15) foot side yard drainage easement, and

WHEREAS, the owner of the beforementioned property has, through his attorney, advised the Town that in order to clear a title question regarding this encroachment, it will be necessary to obtain from the Town a Town Board resolution authorizing the Supervisor to issue a directive regarding same;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to provide a written memorandum to the owner of 15 Hidden trail, Lancaster, New York, that the residence which encroaches into the fifteen (15) foot wide permanent drainage easement on the south side of the residence will not be the subject of an enforced removal by the Town of Lancaster due to said encroachment.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 1, 1990

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THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Chief of Police, by memorandum dated September 24, 1990, has made recommendations relative to filling the positions of Crossing Guard, Primary and Crossing Guard, Back-Up due to the resignation of Mollie Bleinstein,

NOW, THEREFORE, BE IT

RESOLVED, that DOROTHY KAUSCHINGER, 459 Central Avenue, Lancaster, New York 14086, be and is hereby appointed to the position of School Crossing Guard, Primary, Part-time, to be working two days a week with Mr. Morlyn Hurley, a School Crossing Guard working the other three days, effective October 1, 1990 at a rate of \$5.00 per hour, and

BE IT FURTHER

RESOLVED, that FRANK STANTON, 284 Seneca Place, Lancaster, New York be and hereby is appointed to the position of School Crossing Guard, Back-up, Part-time, effective October 1, 1990 at a rate of \$5.00 per hour.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 1, 1990

File: R.PERS.CRET (P3)

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THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, a Public Hearing was held on the 17th day of September, 1990, on the Petition of ADRIAN ANDRUSZ, 6 Wainwright Court, Williamsville, New York 14221, the owner of a parcel of land which is located at the southeast corner of the intersection of North Maple Drive and Wehrle Drive in the Town of Lancaster, rezoning said property from an R1-Residential District One to an MFR-3 - Multi-Family District Three, an RCO-Residential Commercial Office District, and a portion to remain an R1-Residential District, and

WHEREAS, a Notice of said Public Hearing has been duly published and posted, and

WHEREAS, the Planning Board of the Town of Lancaster has recommended the rezone of the hereinafter described parcel of real property, and

WHEREAS, in accordance with Section 239(m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and has no objection with respect thereto,

NOW, THEREFORE, BE IT
RESOLVED, as follows:

1. That the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended so that the real property hereinafter described is changed from an R1-Residential District One to an MFR-3 - Multi-family District Three, an RCO-Residential Commercial Office District, and a portion to remain an R1-Residential District:

R1-RESIDENTIAL DISTRICT ONE to RCO-RESIDENTIAL COMMERCIAL OFFICE:

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Lancaster, County of Erie and State of New York, and being part of Lot Nos. 8 and 10, Section 12, Township 11, Range 6 of the Holland Land Company's Survey, being further described as follows:

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BEGINNING at a point in the southerly boundary line of Wehrle Drive at its intersection with the easterly boundary line of North Maple Road.

THENCE, South 89°-06'-06" East along the southerly boundary of Wehrle Drive, a distance of 866.12 feet to a point in the easterly line of the lands conveyed to Adrian J. Andrusz and Donald J. Schmid in Liber 8561 of deeds at Pages 61 and 63.

THENCE, South 00°-05'-00" West along the easterly line of the said Andrusz and Schmid, a distance of 340.0 feet.

THENCE, North 89°-06'-06" West, parallel with the southerly boundary of Wehrle Drive, a distance of 416.12 feet.

THENCE, South 00°-05'-00" West, parallel with the easterly line North Maple Road, a distance of 368.16 feet.

THENCE, Westerly on a curve to the right having a radius 1525.0 feet, an arc distance of 301.92 feet to a point of tangency.

THENCE, North 89°-55'-00" West, a distance of 150.0 feet to a point in the easterly boundary of North Maple Road.

THENCE, North 00°-05'-00" East along the easterly boundary of North Maple Road, a distance of 744.35 feet to the Point of Beginning, containing 10.835 acres be the same more or less.

R1-RESIDENTIAL DISTRICT ONE to MFR-3 MULTI-FAMILY DISTRICT THREE

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Lancaster, County of Erie and State of New York, and being part of Lot No. 8, Section 12, Township 11, Range 6 of the Holland Land Company's Survey, being further described as follows:

BEGINNING at intersection of the centerlines of North Maple Road, 49.5 feet in width, and Wehrle Drive, said centerline of Wehrle Drive also being the north line of Lot No. 10, Section 12;

THENCE, South 89°-06'-06" East, along the north line of Lot Nos. 10 and 8, 890.87 feet;

THENCE, South 00°-05'-00" West, along the westerly line of lands conveyed by Liber 6581 of deeds at Page 425 and Liber 7184 of Deeds at Page 128, 870.42 feet to the true point of beginning;

THENCE, South 88°-44'-27" East, 778.08 feet;

THENCE, South 00°-29'-11" East, 805.30 feet;

THENCE, North 88°-58'-49" West, 805.83 feet;

THENCE, North 00°-05'-00" East, 470.57 feet to the southeast corner of lands formerly conveyed to Alice Kelsey by Liber 1572 of Deeds at Page 495;

THENCE, Easterly along the south line of lands formerly conveyed to Kelsey by Liber 1572 of Deeds at Page 495 extended easterly, to a point intersected by a line which is the southerly extension of the westerly line of lands conveyed by Liber 6581 of Deeds at Page 425, and Liber 7184 of Deeds at Page 128;

THENCE, Northerly along the southerly extension of the westerly line of lands conveyed by Liber 6581 of Deeds at page 425 and Liber 7185 of Deeds at Page 128, to the true point of beginning containing 14.64 acres more or less.

2. That the rezone is conditioned as follows:

- (a) That the Petitioner successfully complete the site plan review process as contained the Lancaster Town Code;
- (b) That a building permit be applied for within six (6) months of the approval of the side plan by the Town Board, and
- (c) That development begin within One (1) year after the Town Board's approval.

If the above is not complied with, the said approval shall be void and the zoning classification shall be as it was when the petition for amendment was filed.

3. That said Ordinance Amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 1st day of October, 1990;

4. That the notice of adoption of the resolution shall not be published nor shall the zoning map be amended until the applicant has filed with the Town Clerk written consent to those conditions;

5. That Affidavits of Publication be filed with the Town Clerk.

6. That a certified copy of this resolution be furnished to the Erie County Department of Planning .

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 1, 1990

32X1

LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO ZONING ORDINANCE
TOWN OF LANCASTER

The Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of said Town is hereby changed so that the real property hereinafter described is changed from an R-1 Residential District One to an RCO-Residential Commercial Office District, an MFR-3-Multi-family Residence District 3, and a portion to remain R1-Residential District:

R1-RESIDENTIAL DISTRICT ONE to RCO-RESIDENTIAL COMMERCIAL OFFICE:

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Lancaster, County of Erie and State of New York, and being part of Lot Nos. 8 and 10, Section 12, Township 11, Range 6 of the Holland Land Company's Survey, being further described as follows:

BEGINNING at a point in the southerly boundary line of Wehrle Drive at its intersection with the easterly boundary line of North Maple Road.

THENCE, South 89°-06'-06" East along the southerly boundary of Wehrle Drive, a distance of 866.12 feet to a point in the easterly line of the lands conveyed to Adrian J. Andrusz and Donald J. Schmid in Liber 8561 of deeds at Pages 61 and 63.

THENCE, South 00°-05'-00" West along the easterly line of the said Andrusz and Schmid, a distance of 340.0 feet.

THENCE, North 89°-06'-06" West, parallel with the southerly boundary of Wehrle Drive, a distance of 416.12 feet.

THENCE, South 00°-05'-00" West, parallel with the easterly line of North Maple Road, a distance of 368.16 feet.

THENCE, Westerly on a curve to the right having a radius 1525.0 feet, an arc distance of 301.92 feet to a point of tangency.

THENCE, North 89°-55'-00" West, a distance of 150.0 feet to a point in the easterly boundary of North Maple Road.

THENCE, North 00°-05'-00" East along the easterly boundary of North Maple Road, a distance of 744.35 feet to the Point of Beginning, containing 10.835 acres be the same more or less.

R1-RESIDENTIAL DISTRICT ONE to MFR-3 MULTI-FAMILY DISTRICT THREE

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Lancaster, County of Erie and State of New York, and being part of Lot No. 8, Section 12, Township 11, Range 6 of the Holland Land Company's Survey, being further described as follows:

BEGINNING at intersection of the centerlines of North Maple Road, 49.5 feet in width, and Wehrle Drive, said centerline of Wehrle Drive also being the north line of Lot No. 10, Section 12;

32X1

THENCE, South 89°-06'-06" East, along the north line of Lot Nos.10 and 8, 890.87 feet;

THENCE, South 00°-05'-00" West, along the westerly line of lands conveyed by Liber 6581 of deeds at Page 425 and Liber 7184 of Deeds at Page 128, 870.42 feet to the true point of beginning;

THENCE, South 88°-44'-27" East, 778.08 feet;

THENCE, South 00°-29'-11" East, 805.30 feet;

THENCE, North 88°-58'-49" West, 805.83 feet;

THENCE, North 00°-05'-00" East, 470.57 feet to the southeast corner of lands formerly conveyed to Alice Kelsey by Liber 1572 of Deeds at Page 495;

THENCE, Easterly along the south line of lands formerly conveyed to Kelsey by Liber 1572 of Deeds at Page 495 extended easterly, to a point intersected by a line which is the southerly extension of the westerly line of lands conveyed by Liber 6581 of Deeds at Page 425, and Liber 7184 of Deeds at Page 128;

THENCE, Northerly along the southerly extension of the westerly line of lands conveyed by Liber 6581 of Deeds at page 425 and Liber 7185 of Deeds at Page 128, to the true point of beginning containing 14.64 acres more or less.

That this rezone is subject to the following conditions:

- (1) That the Petitioner successfully complete the site plan review process as contained the Lancaster Town Code;
- (2) That a building permit be applied for within six (6) months of the approval of the side plan by the Town Board, and
- (3) That development begin within One (1) year after the Town Board's approval.

October 1, 1990

STATE OF NEW YORK:
COUNTY OF ERIE : SS:
TOWN OF LANCASTER:

This is to certify that I, ROBERT P. THILL, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of Rezone with the original thereof filed in my office at Lancaster, New York, on the 1st day of October, 1990 and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 1st day of October, 1990.

Robert P. Thill
Town Clerk and Registrar of Vital Statistics

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THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has determined that there are items of personal property owned by the Town of Lancaster which are no longer required for Town use, and that such items are surplus to the needs of the Town of Lancaster, and

WHEREAS, these items are sundry in nature, mostly uninventoried, having been determined by various department heads to be no longer needed;

NOW, THEREFORE, BE IT

RESOLVED, that the Property Manager of the Town of Lancaster be and is hereby authorized to sell at public auction, on Wednesday, October 17, 1990 at 11:00 A.M. o'clock, Local Time, at the Highway Garage, 525 Pavement Road, Lancaster, New York, those items of Town property which are no longer required for Town use and which are determined to be surplus to the needs of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

October 1, 1990

FILE: R.AUCTION.10.17.90

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, M.J. Ogiony Builders, Inc., 2060 Union Road, West Seneca, New York 14224, has applied to the Town Board of the Town of Lancaster for a permit to construct a Public Improvement upon real property in the Town of Lancaster within West Warner Estates Subdivision and,

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit application that he has reviewed the improvement plans and permit application for the installation of a public improvement requested, and that they conform to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No. 232, of M.J. Ogiony Builders, Inc., 2060 Union Road, West Seneca, New York 14224, for the installation of:

P.I.P. No. 232 - Installation, 730 LF 12" coated CMP pipe,
(Storm Sewer) 1030 LF 6" CPVC rear yard drainage, 7 receivers,
7 rear yard tees, fabric on rear yard drainage,
removal of headwall.

be and is hereby approved and the installation of the improvement requested be and is hereby authorized, subject to the following condition:

No Building Permits shall be issued until Performance Security as authorized in Chapter 11-6 of the Code of the Town of Lancaster is provided -- or -- until approval of all Public Improvements, including lighting and sidewalks, by the Town Engineer and Town Board, and sewer by Erie County Sewer District No. 4, and conveyance of Warranty Deed with adequate title insurance and bill of sale of improvements rights-of-way, and easement, and delivery of two (2) year maintenance bonds from date of acceptance in the principal sum of 25% of the total cost of the improvement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 1, 1990

File: R.P.I.P.A (P1)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR KEYSA, WHO MOVED
ITS ADOPTION, SECONDED BY THE ENTIRE
TOWN BOARD, TO WIT:

WHEREAS, Almighty God, in His infinite wisdom, has removed from our midst, **ARIEL J. METZ**, in whose death we have lost a sincere and loyal friend, his community a valued and respected citizen, and his family a kind and devoted member, and

WHEREAS, the recent passing of **ARIEL J. METZ**, has saddened the hearts of all residents of the Town of Lancaster and all who were honored to have in any way come in contact with him, and

WHEREAS, **ARIEL J. METZ**, gave so generously of himself in dedicated service, at various times, as a Councilman, a Member of the Zoning Board of Appeals, a Library Trustee, a Member of the Industrial Development Agency, a Member of the Planning Board, and as Chairman of the Town Board Library Committee in which capacity he piloted the construction of both the Lancaster and Depew Branch Libraries, and

WHEREAS, we shall miss his pleasant companionship and good fellowship and his wise counsel,

NOW, THEREFORE, BE IT

RESOLVED, that we mourn deeply the passing of our worthy and beloved friend and extend this expression of heartfelt sympathy to his family in this, their sad bereavement, confident in the knowledge that, having reached the end of his earthly journey, he has received his eternal and glorified reward in Heaven, having heard the consoling words of the Master, "Well done, thou good and faithful servant!"

LANCASTER TOWN BOARD

Stanley Jay Keysa, Supervisor

Ronald A. Czapla, Councilman

Donald E. Kwak, Councilman

Robert H. Giza, Councilman

John T. Miller, Councilman

October 1, 1990

File: R.MEMORIALIZE

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THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, it is the intention of the Town Board of the Town of Lancaster to sponsor a Youth Service Program within the geographic area of the Town of Lancaster for the period of January 1, 1991 through December 31, 1991, and

WHEREAS, the Town of Lancaster is about to submit a renewal application for state aid for the operation of such Youth Service Program to the New York State Division for Youth, Albany, New York, for partial reimbursement of funds to be expended on said program, and

WHEREAS, a proposed budget for the Youth Service Program has been submitted for the period January 1, 1991 through December 31, 1991, in the sum of \$60,319.00, subject to final approval by the Town Board,

NOW, THEREFORE, BE IT

RESOLVED:

That the renewal application to the New York State Division for Youth is in all respects approved and that Stanley Jay Keysa, Supervisor of the Town of Lancaster, be and hereby is authorized and directed to execute and present the aforesaid application to the New York State Division for Youth, Albany, New York, for its approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 1, 1990

File: R.STATE.YTH (P4)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Town Consulting Engineers, Krehbiel Associates, Inc.,
has advised the Town that there is a need to address problems occurring
relative to rear yard drainage system detail and pavement, curb and underdrain
detail in subdivision developments in the Town of Lancaster, and

WHEREAS, the Town Consulting Engineer has recommended that the
specification standards for rear yard drainage system and pavement, curb and
underdrain detail in subdivision developments in the Town of Lancaster be
amended by incorporating said details into the Town's subdivision regulations;

NOW, THEREFORE, BE IT

RESOLVED, that the specification standards for rear yard drainage
system and pavement, curb and underdrain detail in be amended to reflect the
proposed recommendation by Bruce L. Shearer, of the Town's Consulting
Engineers, Krehbiel Associates, Inc., as recited in his letter dated September
13, 1990 to the Town Board, and

BE IT FURTHER

RESOLVED, that the Town Engineer immediately notify all developers
which have been issued P.I.P.'s of the amendment to the specifications.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYS VOTED YES

The resolution was thereupon unanimously adopted.

October 1, 1990

File: R.AMD.SPEC.STNDRS.SUBDVS.10.1.90

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Police Chief of the Town of Lancaster, by memorandum dated September 5, 1990, has requested authorization to pay, out of the Police Department's Training Budget, tuition costs related to Karen Freund's attendance at the Computer Information Program at Erie Community College,

NOW, THEREFORE, BE IT

RESOLVED, that authorization be and is hereby granted to the Police Department to pay out of their training budget, the sum of \$402.00 as tuition for the attendance of KAREN FREUND, Senior Clerk Typist in the Police Department of the Town of Lancaster, in the Computer Information Program at Erie County Community College, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

October 1, 1990

File: R.SEM.MTGS (P1)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, it is the intention of the Town Board of the Town of Lancaster to sponsor a Youth Initiative-Social Work Counselor Program within the geographic area of the Town of Lancaster for the period of January 1, 1991 through December 31, 1991, and

WHEREAS, the Town Board has heretofore authorized such joint program for the period commencing July 1, 1990 and ending June 30, 1991, with the Lancaster Central School District, and

WHEREAS, it is in the public interest that the Town of Lancaster see to the continuation of this worthwhile program inasmuch as the other participant in the program, the Lancaster Central School District, has so indicated its intention to continue the program beyond the current fiscal year, and

WHEREAS, a proposed budget for the Youth Initiative-Social Work Counselor Program has been submitted for the period January 1, 1991 through December 31, 1991, in the sum of \$23,450.00, subject to final approval by the Town Board,

NOW, THEREFORE, BE IT

RESOLVED, That the renewal application to the New York State Division for Youth is in all respects approved and that Stanley Jay Keysa, Supervisor of the Town of Lancaster, be and hereby is authorized and directed to execute and present the aforesaid application to the New York State Division for Youth, Albany, New York, for its approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 1, 1990

File: R.STATE.YTH (P2)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Twin District Volunteer Fire Company, Inc., by letter dated September 17, 1990, has requested the confirmation of one new member duly elected to the membership of the Twin District Volunteer Fire Company, Inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Twin District Volunteer Fire Company, Inc. of the following individual:

ADDITION

Joseph F. Kozlowski II
120 Cromwell Drive
Depew, New York 14043

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

October 1, 1990

File: R.FIRE (P3)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, Josela Enterprises, Inc., 5653 Broadway, Lancaster, New York 14086, has applied to the Town Board of the Town of Lancaster for permits to construct Public Improvements upon real property in the Town of Lancaster within Southpoint Subdivision, Phase I and Phase II, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No. 233 and No. 234 of Josela Enterprises, Inc. 5653 Broadway, Lancaster, New York 14086, for the installation of:

Southpoint Subdivision, Phase I

P.I.P. No. 233 - 17 light standards, fixtures, lamps, photocells, conductors and conduit as per NYSEG layout and Town specifications.

Southpoint Subdivision, Phase II

P.I.P. No. 234 - 20 light standards, fixtures, lamps, photocells, conductors and conduit as per NYSEG layout and Town specifications.

be and are hereby approved and the installation of the improvements requested be and are hereby authorized, subject to the following condition:

No Building Permits shall be issued until Performance Security as authorized in Chapter 11-6 of the Code of the Town of Lancaster is provided -- or -- until approval of all Public Improvements, including lighting and sidewalks, by the Town Engineer and Town Board, and sewer by Erie County Sewer District No. 4, and conveyance of Warranty Deed with adequate title insurance and bill of sale of improvements rights-of-way, and easement, and delivery of two (2) year maintenance bonds from date of acceptance in the principal sum of 25% of the total cost of the improvement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

File: R.P.I.P.A (P1)

25 X

32 X

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, it is the intention of the Town Board of the Town of Lancaster to sponsor a Youth Recreation Program within the geographic area of the Town of Lancaster for the period of January 1, 1991 through December 31, 1991, and

WHEREAS, the Town of Lancaster is about to submit a renewal application for state aid for the operation of such Youth Recreation Program to the New York State Division for Youth, Albany, New York, for partial reimbursement of funds to be expended on said program, and

WHEREAS, a proposed budget for the Youth Recreation Program has been submitted for the period January 1, 1991 through December 31, 1991, in the sum of \$396,420.00, subject to final approval by the Town Board,

NOW, THEREFORE, BE IT
RESOLVED:

That the renewal application to the New York State Division for Youth is in all respects approved and that Stanley Jay Keysa, Supervisor of the Town of Lancaster, be and hereby is authorized and directed to execute and present the aforesaid application to the New York State Division for Youth, Albany, New York, for its approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 1, 1990

File: R.STATE.YTH (P1)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY THE ENTIRE
KWAK , TO WIT:

WHEREAS, the Chiefs of Police of the Town of Lancaster, Village of Lancaster, and Village of Depew have jointly recommended to their various municipal boards that a set date and time be set aside for the observance of Halloween within the Town of Lancaster, including the Villages therein,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster, hereby declares Wednesday, October 31, 1990, between the hours of 6:00 P.M. and 8:30 P.M., as the official period during which Halloween trick or treat activities may be observed within the Town of Lancaster, outside the Villages.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 1, 1990

File: R.P.R. (P1)

25 X

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, it is the intention of the Town Board of the Town of Lancaster to sponsor a Youth Bureau Program within the geographic area of the Town of Lancaster for the period of January 1, 1991 through December 31, 1991, and

WHEREAS, the Town of Lancaster is about to submit a renewal application for state aid for the operation of such Youth Bureau Program to the New York State Division for Youth, Albany, New York, for partial reimbursement of funds to be expended on said program, and

WHEREAS, a proposed budget for the Youth Bureau Program has been submitted for the period January 1, 1991 through December 31, 1991, in the sum of \$82,918.00, subject to final approval by the Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that the renewal application to the New York State Division for Youth is in all respects approved and that Stanley Jay Keysa, Supervisor of the Town of Lancaster, be and hereby is authorized and directed to execute and present the aforesaid application to the New York State Division for Youth, Albany, New York, for its approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 1, 1990

File: R.STATE.YTH (P3)

25 X

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER, TO WIT:

WHEREAS, M.J. Ogiony Builders, Inc., 2060 Union Road, West Seneca,
New York 14224, has requested the Town Board of the Town of Lancaster to
accept work completed under a Public Improvement Permit within West Warner
Estates Subdivision, within the Town of Lancaster, and

WHEREAS, the Town Engineer has inspected the improvement and has
recommended the approval thereof,

NOW, THEREFORE, BE IT

RESOLVED, that the following completed Public Improvement within
West Warner Estates Subdivision, be and is hereby approved and accepted by the
Town Board of the Town of Lancaster:

P.I.P. No. 232 - Storm Sewers

conditioned, however, upon the following:

1. Receipt and approval by the Town Attorney of deeds, easements title
report, title insurance and bill of sale to improvements for the
property conveyed to the Town of Lancaster.
2. Receipt and approval by the Town Clerk of maintenance bonds for each
of the improvements accepted herein.
3. Receipt by the Town Clerk of a letter from the Town Engineer
recommending acceptance of the above improvements.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 1, 1990

File: R.P.I.P. (P3)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 15736 to Claim No. 15970 Inclusive.

Total amount hereby authorized to be paid:

\$329,941.76

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

October 1, 1990

File: R.CLAIMS

32X

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA, TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

- (T) = Tree Planting Fee tendered to the Town of Lancaster pursuant to the provisions of Chapter 30-26 of the Code of the Town of Lancaster.
- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster.
- (CSW) = Conditional sidewalk waiver.

NO.	CODE	NAME	ADDRESS	STRUCTURE
568		Joseph Gronowski	634 Schwartz Rd	ER. SHED
569		Paul Bauchle	42 Gale Dr	ER. FENCE
570 (T)		Robert D. Miller	25 Lake Forest Pkwy	ER. SIN. DWLG
571		Thomas Searer	24 Country Pl	ER. SHED
572		Harold Frey	356 Harris Hill Rd	ALT. SEWER LINES
573		Doreen Cesari	37 Fieldstone La	ER. FENCE
574		Michael Passucci	199 Cemetery Rd	EX. GARAGE
575		Mario Loretto	65 Gale Dr	ER. SHED
576		Ray & Lynn Priester	38 Rollingwood	EX. GARAGE
577		Eric Vogel	232 Brunck Rd	ER. SHED
578 (T)		VHB Inc.	9 Gale Dr	ER. SIN. DWLG
579		Triple S Construction	4779 Transit Rd	DEMOLISH SIN.DWLG
580		Triple S Construction	4763 Transit Rd	DEMOLISH SIN.DWLG
581		Triple S Construction	4781 Transit Rd	DEMOLISH SIN.DWLG & POLE BARN
582		Richard Frappa	25 Sugarbush Ln	ER. FENCE
583		TABLED		
584		Environmental Serv	525 Pavement Rd	REMOVE TANKS
585 (T)(SW)		MRB Maintenance	652 Schwartz Rd	ER. SIN. DWLG
586 (T)		Heritage Builders	39 Lake Frst Pkwy	ER. SIN. DWLG
587		Donna Scalfaro	16 Gale Dr	ER. POOL
588		DiCom Developers Inc.	4725 Transit Rd	ER. SIGN
589 (T)		Forbes Homes Inc.	14 Schilling Ct	ER. SIN. DWLG

and,

BE IT FURTHER

RESOLVED, that Building Permit No. 583 of Michael Antonicelli, to erect a single dwelling at 68 Westwood Road, be and is hereby tabled for re-submittal to the Town Board for approval when the Town Engineer and the Building Inspector inspects the culvert on the front of the property and,

BE IT FURTHER

RESOLVED, that Building Permit Application No. 283 of 1990 of Centennial Homes, Inc. to construct a private dwelling at 9 Running Brook Drive, previously tabled by the Town Board on May 21, 1990 to resolve drainage problems, be and is hereby removed from its tabled status and is hereby approved and the issuance of a permit be and is hereby authorized, and,

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the condition that the Town of Lancaster, at any future date, has the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 1, 1990

File: R.BLDG (P1-2)

25 X

32 X

Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR KEYSA, WHO MOVED
ITS ADOPTION, SECONDED BY THE ENTIRE
TOWN BOARD, TO WIT:

WHEREAS, Almighty God, in His infinite wisdom, has removed from our midst, JAMES M. KELLEHER, in whose death we have lost a sincere and loyal friend, his community a valued and respected citizen, and his family a kind and devoted member, and

WHEREAS, the recent passing of JAMES M. KELLEHER, has saddened the hearts of all residents of the Town of Lancaster and all who were honored to have in any way come in contact with him, and

WHEREAS, JAMES M. KELLEHER, in the execution of the duties of Town Justice of the Town of Lancaster for thirteen years, brought great credit both to himself and the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that we mourn deeply the passing of our worthy and beloved friend and extend this expression of heartfelt sympathy to his family in this, their sad bereavement, confident in the knowledge that, having reached the end of his earthly journey, he has received his eternal and glorified reward in Heaven, having heard the consoling words of the Master, "Well done, thou good and faithful servant!"

LANCASTER TOWN BOARD

Stanley Jay Keysa, Supervisor

Ronald A. Czapla, Councilman

Donald E. Kwak, Councilman

Robert H. Giza, Councilman

John T. Miller, Councilman

October 1, 1990

File: R.MEMORIALIZE

25 X

32 X

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, LANCASTERSHIRE, INC., 8600 Roll Road, Clarence Center, New York, 14032, has petitioned the Town Board of the Town of Lancaster for the rezone of certain property on the west side of Lancaster Country Club, on the south side of Broadway in the Town of Lancaster from an AR Agricultural Residential District to an MFR-4 - Multifamily Residential District Four, said property being approximately 14.7± acres, which property is more particularly bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 9, Section 4, Township 11, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the Northeast corner of lands conveyed by Liber of Deeds 1865 at Page 346, said point being on the east Lot of Lot No. 9, 500.0' south of the center line of Cayuga Creek Road prior to reconstruction and also being 459.95' south of the present south line of Broadway (Route 20) as a 100.0' wide road.

THENCE westerly parallel to the center line of Cayuga Creek Road and on the north line of Liber of Deeds 1865 at Page 346 at an interior angle in the northwest quadrant of 76°-59'-45" a distance of 282.79' feet to a point;

THENCE, southwest at an interior angle of 236°-24'-55" a distance of 536.5' to a point in the west line of Liber of Deeds 1865 at Page 346 also being in the east line of Liber of Deeds 6389 at Page 223.

THENCE south parallel to the east line of Lot 9 a distance of 542.73 feet to a point.

THENCE northwest at an interior angle of 60°-07'-17" a distance of 280.0' to a point.

THENCE northwest at an interior angle of 142°-05'-45" a distance of 310.0' to a point.

THENCE north parallel to the east line of Lot 9 at an interior angle of 157°-46'-58" a distance of 748.9' to a point.

THENCE east at right angles a distance of 60.0' to a point.

THENCE north parallel to the east line of Lot 9 a distance of 95.35' to a point.

THENCE easterly parallel to the centerline of Cayuga Creek Road at an interior angle of 76°-59'-45" a distance of 491.05' to a point.

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32 X

THENCE north parallel to the east line of Lot 9 a distance of 257.28' to the south line of Route 20.

THENCE easterly on the south line of Route 20 a distance of 74.91' to the east line of Liber of Deeds 1915 at page 579;

THENCE south parallel to the east line of Lot 9 and on the east line of Liber of Deeds 1915 at Page 579 a distance of 182.68' to the southeast corner of the above mentioned Deed;

THENCE easterly parallel to the centerline of Cayuga Creek Road and on the south lines of Liber of Deeds 1777 at Page 502, Liber of Deeds 5818 at Page 206 and Liber of Deeds 7028 at Page 163 a distance of 249.64' to the southwest corner of Liber of Deeds 1959 at Page 4.

THENCE south parallel to the east line of Lot 9 a distance of 125.0' to a point.

THENCE easterly parallel to the centerline of Cayuga Creek Road a distance of 175.0' to the east line of Lot 9.

THENCE south on the east line of Lot 9 a distance of 150.0' to the point of beginning containing 14.74 acres of land, more or less.

and

WHEREAS, the Town of Lancaster Planning Board and Planning Consultant have reviewed the rezone petition and recommended approval, subject to certain conditions, and

WHEREAS, in accordance with Section 239(m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed the application for rezone and made its recommendation with respect thereto, and

WHEREAS, a Public Hearing was held on the 4th day of June, 1990 at 8:10 o'clock P.M., Local Time, and

WHEREAS, full opportunity to be heard was given to any and all citizens and all parties in interest, and

WHEREAS, a review of the petition and report of the Planning Board and Planning Consultant, and the evidence adduced at said Public Hearing, and the Master Plan and Zoning Map of the Town of Lancaster, reveals the following facts:

- (1) That the property is currently zoned AR-Agricultural Residential District;
- (2) That the property directly north along Broadway is zoned RCO-Residential-Commercial-Office District;

25 X1

32 X1

- (3) That the remainder of the property is surrounded by AR-Agricultural- Residential District, and
- (4) That a rezone to MFR-3 Multifamily Residence District Three would be strictly a residential use which would be a compatible use adjacent to a golf course.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed to provide that the premises herein previously described and petitioned and to be rezoned shall be rezoned from an AR - Agricultural-Residential District to an MFR-3 - Multifamily Residence District Three District. subject to the following conditions imposed upon the rezone of the property:

- (1) That there be no development south of Cayuga Creek;
- (2) That the Rezone be granted to an MFR-3 - Multifamily Residential Three District and not an MFR-4 - Multifamily Residential Four District;
- (3) That there be no encroachment of the development into the 100-year flood plain as defined by FEMA Flood Insurance Map.
- (4) There will be no structures permitted more than two stories high;
- (5) Internal drainage shall be designed and constructed to accommodate site runoff and upstream drainage to 100 Year Flood standards;
- (6) That condominium-type or Town House For Sale development is required as opposed to an apartment complex.
- (7) Parking areas will be paved with asphalt or concrete or paving bricks or other materials of similar dust-free quality.
- (8) Site shall be stripped only in the phase being constructed and only upon approval of the Town Building Department, in accordance with Town regulations.
- (9) All topsoil shall remain on site until its removal is approved by the Town Building Inspector; and
- (10) Unless specifically modified by reference in this document, no sections of the Lancaster Town Code are deemed waived by this document.

and

BE IT FURTHER,

RESOLVED, as follows:

- 1. That said amendment to the Zoning Ordinance be added in the minutes of the meeting of the Town Board of the Town of Lancaster, held on the 1st day of October, 1990;

32x1

2. That the Notice of Adoption of the resolution shall not be published nor shall the Zoning Map be amended until the applicant has filed with the Town Clerk consent to those conditions;

3, That the Affidavit of Publication be filed with the Town Clerk,

4. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 1, 1990

32X1

LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO ZONING ORDINANCE
TOWN OF LANCASTER

The Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of said Town is hereby changed so that the real property hereinafter described is changed from an AR - Agricultural-Residential District to an MFR-3 - Multi-family Residence Three District:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 9, Section 4, Township 11, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the Northeast corner of lands conveyed by Liber of Deeds 1865 at Page 346, said point being on the east Lot of Lot No. 9, 500.0' south of the center line of Cayuga Creek Road prior to reconstruction and also being 459.95' south of the present south line of Broadway (Route 20) as a 100.0' wide road.

THENCE westerly parallel to the center line of Cayuga Creek Road and on the north line of Liber of Deeds 1865 at Page 346 at an interior angle in the northwest quadrant of $76^{\circ}-59'-45''$ a distance of 282.79' feet to a point;

THENCE, southwest at an interior angle of $236^{\circ}-24'-55''$ a distance of 536.5' to a point in the west line of Liber of Deeds 1865 at Page 346 also being in the east line of Liber of Deeds 6389 at Page 223.

THENCE south parallel to the east line of Lot 9 a distance of 542.73 feet to a point.

THENCE northwest at an interior angle of $60^{\circ}-07'-17''$ a distance of 280.0' to a point.

THENCE northwest at an interior angle of $142^{\circ}-05'-45''$ a distance of 310.0' to a point.

THENCE north parallel to the east line of Lot 9 at an interior angle of $157^{\circ}-46'-58''$ a distance of 748.9' to a point.

THENCE east at right angles a distance of 60.0' to a point.

THENCE north parallel to the east line of Lot 9 a distance of 95.35' to a point.

THENCE easterly parallel to the centerline of Cayuga Creek Road at an interior angle of $76^{\circ}-59'-45''$ a distance of 491.05' to a point.

THENCE north parallel to the east line of Lot 9 a distance of 257.28' to the south line of Route 20.

THENCE easterly on the south line of Route 20 a distance of 74.91' to the east line of Liber of Deeds 1915 at page 579;

THENCE south parallel to the east line of Lot 9 and on the east line of Liber of Deeds 1915 at Page 579 a distance of 182.68' to the southeast corner of the above mentioned Deed;

THENCE easterly parallel to the centerline of Cayuga Creek Road and on the south lines of Liber of Deeds 1777 at Page 502, Liber of Deeds 5818 at Page 206 and Liber of Deeds 7028 at Page 163 a distance of 249.64' to the southwest corner of Liber of Deeds 1959 at Page 4.

25 X

32 X

THENCE south parallel to the east line of Lot 9 a distance of 125.0' to a point.

THENCE easterly parallel to the centerline of Cayuga Creek Road a distance of 175.0' to the east line of Lot 9.

THENCE south on the east line of Lot 9 a distance of 150.0' to the point of beginning containing 14.74 acres of land, more or less.

This rezone is subject to the following conditions:

- (1) That there be no development south of Cayuga Creek;
- (2) That the Rezone be granted to an MFR-3 - Multifamily Residential Three District and not an MFR-4 - Multifamily Residential Four District;
- (3) That there be no encroachment of the development into the 100-year flood plain as defined by FEMA Flood Insurance Map.
- (4) There will be no structures permitted more than two stories high;
- (5) Internal drainage shall be designed and constructed to accommodate site runoff and upstream drainage to 100 Year Flood standards;
- (6) That condominium-type or Town House For Sale development is required as opposed to an apartment complex.
- (7) Parking areas will be paved with asphalt or concrete or paving bricks or other materials of similar dust-free quality.
- (8) Site shall be stripped only in the phase being constructed and only upon approval of the Town Building Department, in accordance with Town regulations.
- (9) All topsoil shall remain on site until its removal is approved by the Town Building Inspector; and
- (10) Unless specifically modified by reference in this document, no sections of the Lancaster Town Code are deemed waived by this document.

October 1, 1990

STATE OF NEW YORK:
COUNTY OF ERIE : ss:
TOWN OF LANCASTER:

This is to Certify that I, ROBERT P. THILL, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of Legal Notice of Rezone with the original thereof filed in my office at Lancaster, New York, on the 1st day of October, 1990, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 1st day of October, 1990.

Robert P. Thill
Town Clerk and Registrar of Vital Statistics

25 X

32 X

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK, TO WIT:

WHEREAS, Bernett Schilling, 5141 Williams Street, Lancaster, New York 14086 has applied for a Dumping Permit for property situate north of 210 Siebert Road, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and Town Engineer for review and recommendation, and

WHEREAS, the Building Inspector and Town Engineer have completed their review and made a formal, favorable recommendation to the Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that Bernett Schilling, 5141 Williams Street, Lancaster, New York 14086 be and is hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicant north of 210 Siebert Road, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYS VOTED YES

The resolution was thereupon unanimously adopted.

October 2, 1990

File: R.PERMIT.DUMP (P1)

32X1

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town of Lancaster has advertised for public bid for the Thermal Storage Units to be installed in the rear staircase of the Town Hall, and Volunteer Ambulance building, and

WHEREAS, public bids were received by the Town Clerk and opened by the Supervisor on October 1, 1990, at 10:30 A.M., and

WHEREAS, the Building Maintenance Crew Chief has reviewed the bids and has made a recommendation for award of same after conferring with the Town Attorney regarding the bids received, and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid for Thermal Storage Units to be installed in the rear staircase of the Town Hall and Volunteer Ambulance Building ,to ROCHESTER ENERGY PRODUCTS CORP., 432 Atlantic Avenue, Rochester, New York, being the lowest responsible bidder, in the sum of \$11,898.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 1, 1990

FILE: AWRD.BDS.THERMAL.UNITS

32X1

STATUS REPORT ON UNFINISHED BUSINESS:

1. Detention Basin - Milton Drive
On October 1, 1990 the Supervisor reported that he met with David Pratt of Pratt and Huth Associates on this matter.
2. Dumping Permit - Walter Mikowski
On March 14, 1990, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
3. Dumping Permit - New Creation Fellowship
This matter is presently before the Town Board Drainage Committee for study.
4. Dumping Permit - Bennett Schilling
On September 26, 1990, this matter was referred to the Town Engineer and Building Inspector for review and recommendation. On October 1, 1990 the Town Board authorized the issuance of this permit. The Town Clerk was directed to remove this item from future Town Board agendas.

5. Public Improvement Permit Authorization - Deer Cross Subdivision, Phase I (Donato)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement and Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Detention Basin	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

6. Public Improvement Permit Authorization - Deer Cross Subdivision, Phase II (Donato)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement and Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Detention Basin	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

7. Public Improvement Permit Authorization - Forestream Village Subdivision, Phase I (DiLapo)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Curbs	Yes	Yes	Yes
Floodway Grading	Yes	No	No
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a

8. Public Improvement Permit Authorization - Forestream Village Subdivision, Phase II (DiLapo)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Floodway (S. Branch)	Yes	No	No
East Culvert (S. Branch)	Yes	Yes	Yes
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a

32X1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)9. Public Improvement Permit Authorization - Hillview Estates Subdivision, Phase I (Hillview Development)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	No	No	No
Pavement and Curbs	No	No	No
Storm Sewers	No	No	No
Detention Basin	No	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

10. Public Improvement Permit Authorization - Indian Pine Village Subdivision (Fischione Const., Inc.)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	Yes	No	No
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a

11. Public Improvement Permit Authorization - Lake Forest Subdivision, Phase I (Dana Warman)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	No
Pavement and Curbs	Yes	Yes	No
Storm Sewers	Yes	Yes	No
Detention Basin	Yes	No	No
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a

12. Public Improvement Permit Authorization - Meadowland Subdivision (Bosse)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

13. Public Improvement Permit Authorization - The Meadows Subdivision (Giallanza)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	n/a	n/a	n/a
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a

14. Public Improvement Permit Authorization - Pine Tree Farm, Phase I (Josela - East off Aurora Street)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline (Transmission)	Yes	Yes	Yes
Waterline (Hydrants)	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	Yes	No	No
Street Lights	Yes	Yes	No
Sidewalks	Yes	n/a	n/a

25 X1

32 X1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)15. Public Improvement Permit Authorization - Pine Tree Farm, Phase II
(Josela - East off Aurora Street)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	n/a	n/a	n/a
Street Lights	Yes	Yes	No
Sidewalks	Yes	n/a	n/a

16. Public Improvement Permit Authorization - Plumb Estates (Galasso)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	Yes	No	No
Street Lights	Yes	Yes	n/a
Sidewalks	Yes	n/a	n/a

17. Public Improvement Permit Authorization - Southpoint Subdivision, Phase I
(Josela)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
E. Detention Pond	Yes	No	No
W. Detention Pond	Yes	No	No
Street Lights	Yes	No	No
Sidewalks	No	n/a	n/a

18. Public Improvement Permit Authorization - Southpoint Subdivision, Phase II (Josela)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement and Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Detention Basin	n/a	n/a	n/a
Street Lights	Yes	No	No
Sidewalks	No	n/a	n/a

19. Public Improvement Permit Authorization - Southpoint Subdivision, Water Interconnection Line with Forestream (Josela)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline (ONLY)	Yes	No	No

20. Public Improvement Permit Authorization - Stony Brook, Phase I
(Stephens)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement & Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Detention Area 1	Yes	No	No
Detention Area 2	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

32X1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)21. Public Improvement Permit Authorization - Warnerview Estates, Phase I
(Donato)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	Yes	No	No
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a

22. Public Improvement Permit Authorization - Warnerview Estates, Phase II
(Donato)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	n/a	n/a	n/a
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a

23. Public Improvement Permit Authorization - West Warner Estates

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Storm Sewers (ONLY)	Yes	Yes	No

24. Public Improvement Permit Authorization - Willow Ridge Subdivision
(Cimato Bros.)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement and Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Detention Basin	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

25. Public Improvement Permit Authorization - Windsor Ridge Subdivision,
Phase I (M. J. Peterson)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement and Curbs	No	No	No
Storm Sewers	Yes	No	No
Detention Basin	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

26. Rezone Petition - Adrian J. Andrusz

On May 21, 1990, the Town Board held a SEQR hearing on this matter and tabled its decision pending receipt of additional data from the petitioner. On June 4, 1990, the Town Board held a public hearing on this matter and reserved decision. Next step SEQR Review. On August 14, 1990, the Town Clerk referred a revised rezone petition to the Planning Board for review and recommendation. On September 4, 1990 the Town Board set a Public Hearing on this revised petition for September 17, 1990. On September 17, 1990 the Town Board held a Public Hearing on this matter and reserved decision. On October 1, 1990 the SEQR Municipal Review Committee adopted a SEQR negative declaration. On October 1, 1990 the Town Board approved this rezone petition. The Town Clerk was directed to remove this item from future Town Board agendas.

27. Rezone Petition - Belmont Shelter Corp. (5818 Broadway)

On August 17, 1990, this matter was referred to the Planning Board for review and recommendation.

25 X1

32 X1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)

28. Rezone Petition - Bhagwanji/Nalini Kunvarji (West of 130 Maple Road)
On September 4, 1990 the Town Board held a public hearing on this matter and reserved decision. Next step, SEQR Review.
29. Rezone Petition - Lancastershire, Inc. (Broadway near Lancaster Country Club)
On June 4, 1990, the Town Board held a public hearing on this matter and reserved decision. Next step SEQR Review. On July 9, 1990, the Town Board adopted a SEQR Negative Declaration on this matter. On August 15, 1990, the Town Clerk referred an amendment to the rezone petition to the Planning Board for review and recommendation. On October 1, 1990 the Town Board approved this rezone petition. The Town Clerk was directed to remove this item from future Town Board agendas.
30. Rezone Petition - Marinaccio Concrete and Trucking (Ransom Road)
On August 6, 1990, the Town Board held a public hearing on this matter and reserved decision. Next step, SEQR Review.
31. Rezone Petition - McGuire Group (Wehrle Drive)
On May 7, 1990, the Town Board held a public hearing on this matter and reserved decision. On May 21, 1990, the Town Board held a SEQR hearing on this matter and tabled its decision pending receipt of additional data from the petitioner.
32. State Contract Grant - 40 Clark Street Museum.
Application for grant has been filed.
33. Subdivision Approval - Bowen Road Square (Off Bowen Road)
On August 30, 1990 the developer tendered to the Town Clerk a subdivision filing fee of \$1,135.00. On August 1, 1990 the Planning Board recommended approval of the sketch plan. Next step, Planning Board approval of preliminary plat plan.
34. Subdivision Approval - The Crossings (Off Erie St.)
On June 5, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$590.00. Review of this subdivision is on hold pending determination of a conceptual north/south beltway right-of-way from Broadway to the New York State Thruway.
35. Subdivision Approval - East Brook Estates (Off Bowen Road)
This matter awaits formal filing with the Town Clerk. No engineering review fee has been received.
36. Subdivision Approval - Grafton Park Subdivision (Broadway and Steinfeldt)
On September 5, 1990, an application for sketch plan approval was filed with the Building Inspector and referred to the Planning Board for review. On September 19, 1990, the Planning Board approved the sketch plan for this subdivision.
37. Subdivision Approval - Hidden Hollow (Off Green Meadow Drive)
This matter awaits formal filing with the Town Clerk. No engineering review fee has been received. On March 21, 1990, the Planning Board voted preliminary approval. On May 7, 1990, the Town Board adopted a SEQR negative declaration on this matter.
38. Subdivision Approval - Hillview Estates (Off Pleasant View Drive)
This matter awaits formal filing with the Town Clerk. No engineering review fee has been received. On March 21, 1990, the Planning Board voted preliminary approval. On May 7, 1990, the Town Board adopted a SEQR negative declaration on this matter.

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)

39. Subdivision Approval - Lake Forest South (Off Lake Avenue)
On January 27, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$250.00. On December 18, 1989, a SEQOR Negative Declaration was adopted. On February 5, 1990, the Town Engineer recommended conditional approval of this project. On December 16, 1989, the Planning Board recommended approval of this project.
40. Subdivision Approval - Parkridge (Off William Street)
This matter awaits formal filing with the Town Clerk. No engineering review fee has been received.
41. Subdivision Approval - Stony Brook Subdivision, Phase II (South Side of Pleasant View Drive)
On September 5, 1990, an application for sketch plan approval was filed with the Building Inspector and referred to the Planning Board for review.
42. Subdivision Approval - Thruway Industrial Park (Off Gunville Rd.)
On October 4, 1989, the Planning Board approved the site plan for this subdivision. On October 13, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$415.00. On August 6, 1990, the Town Board adopted a SEQOR negative declaration on this matter.
43. Subdivision Approval - Woodgate (Josela - Off Aurora St.)
On August 1, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$1350.00. On September 6, 1989, the Planning Board approved a sketch plan for this subdivision. On November 20, 1989, a SEQOR negative declaration was adopted.

PERSONS ADDRESSING THE TOWN BOARD:

Clifford Krumm of Pratt and Huth spoke to the Town Board about permission to grub Hillview Estates Subdivision and Hidden Hollow Subdivision. No permission was granted.

Henry Kwiatkowski, 105 Arlington Place spoke to the Town Board about the present status of a possible new senior citizens center for the older residents of the Town of Lancaster.

Gloria Kubicki, 15 Maple Drive, also spoke to the Town Board about a possible new senior citizens center for older Town of Lancaster Residents.

Russell Gangloff, 30 Broezel Avenue, spoke to the Town Board about requiring sidewalks in the area of 527 Pleasant View Drive.

Mike Patterson, of McIntosh & McIntosh spoke to the Town Board about a change to the FEMA map for Forestream Subdivision.

25 X1

32 X1

COMMUNICATIONSDISPOSITION

1048. NYSDEC to Supervisor - Invitation to attend public workshop on household hazardous waste collection and education programs.	BUILDING INSPECTOR SUPERVISOR
1049. ENCRPB to Supervisor - Notice of extension of the 9/19/90 deadline for response to post-census housing unit counts.	R & F
1050. Alden Town Supervisor to Supervisor - Comments re: temporary water tap - Westwood Rd.	R & F
1051. Police Chief to Chair., Public Safety Comm. - Request 10/31/90 be designated as Halloween.	R & F
1052. ECDEP to Supervisor - Results of review re: Marinaccio Rezone.	SEQR FILE
1053. ECDEP to Supervisor - Results of review re: Meadow Wood Apts.	SEQR FILE
1054. ECDEP to Supervisor - Results of review re: Bowen Road Square Subdivision.	SEQR FILE
1055. ECDEP to Supervisor - Results of review re: Econolodge Motel.	SEQR FILE
1056. Building Inspector to Supervisor - Results of review of census figures.	R & F
1057. Town Engineers to Town Board - Comments re: floodway determination study in connection with Country Club Commons.	R & F
1058. Congressman Nowak to Supervisor - Response to resolution re: proposal to eliminate state and local tax exemption for Federal income taxes.	R & F
1059. New Creation Fellowship to Town Attorney - Request further details re: Genesee St. property site restoration.	TOWN ATTORNEY
1060. NYSDOT to Highway Supt. - Notification re: safety flag on the Clark St. Bridge over Plum Bottom Creek.	R & F
1061. Sharon Michenzi, 185 N. Maple Dr., to Town Board Opposition to proposed Andrusz Rezone.	R & F
1062. NYSDOT to Town Clerk - Transmittal of orders designating Cemetery Rd. and Broadway as access highways to the Qualifying Highway System.	R & F HIGHWAY COMMITTEE
1063. WNY APA to Supervisor - Notice of 1990 Annual Conference to be held in Niagara Falls from 10/11-12/90.	R & F
1064. Federal Emergency Management Agency to Supervisor - Recent changes re: Elevation Certificate and Non-Residential Flood Proofing Certificate.	R & F
1065. Town Clerk to Fire Chiefs and Presidents - Notice of annual inspection on 10/22/90 and general discussion meeting on 10/29/90.	R & F

25 X1

32 X1

COMMUNICATIONS CONT'D.:DISPOSITION

1066. Rosemary Cordier, 944 Town Line Rd., to Supervisor - Request lowering of speed limit on Town Line Road.	PUBLIC SAFETY COMMITTEE CHIEF FOWLER _____ _____
1067. James DiLapo, Sr. to Supervisor - Transmittal of correspondence from ECSD No. 4 accepting operation and maintenance of Forestream Pump Station effective 9/1/90/.	R & F _____ _____ _____
1068. Town Engineers to Town Board - Comments and transmittal of proposed water line extension plans re: Contract 4, Water Dist. No. 3, Ext. 1 - Westwood Rd. and Genesee St.	TOWN ATTORNEY BUILDING INSPECTOR _____ _____ _____
1069. Town Clerk to Media - Notice of SEQR meeting to be held 10/1/90 re: Larkspur Acres Subdivision.	R & F _____ _____ _____
1070. NYSDOT to Town Clerk - Notice of acceptance of completed work re: bridge over Conrail.	SUPERVISOR R & F HIGHWAY COMMITTEE _____ _____ _____
1071. Donato Developers to TOWN CLERK - Compliance letter re: Deer Cross Subdivision model home.	R & F _____ _____ _____
1072. Police Chief to Town Board and Planning Board Chair. - Comments re: traffic impact study - Tops Market Project.	PLANNING COMMITTEE PUBLIC SAFETY COMMITTEE _____ _____ _____
1073. Police Chief to Planning Board Chair. - Request traffic analysis be required re: Potter Realtors site plan for 4909 Transit Rd.	PLANNING COMMITTEE PUBLIC SAFETY COMMITTEE _____ _____ _____
1074. Town of Concord to County Legislature - Resolution requesting position statement re: extension of NFTA's L.R.R.T.	R & F _____ _____ _____
1075. Police Chief to Public Safety Comm. Chairman and Town Attorney - Request Town Board's decision re: parking of commercial vehicles within subdivisions.	PUBLIC SAFETY COMMITTEE _____ _____ _____
1076. Police Chief to Judith Flury - Response to letter re: complaint of police officer - 9/12/90.	R & F _____ _____ _____
1077. Mediak Construction to Town Clerk - Request authorization to pipe and cover drainage ditch - 88-90 Pleasant View Dr.	DRAINAGE COMMITTEE _____ _____ _____
1078. Town Clerk to Building Inspector and Town Engineer - Transmittal of Dumping Permit Application of Bennett Schilling.	TOWN CLERK FOR SUSPENDED RESOLUTION _____ _____ _____
1079. Town Clerk to Zoning Board Members, Building Inspector and Dep. Town Attorney - Transmittal of two variance petitions for meeting of 10/11/90.	R & F _____ _____ _____
1080. Town Attorney to Assistant U.S. Attorney - Advisement re: grand jury subpoena - Envirotek or related companies.	R & F _____ _____ _____
1081. Town Clerk to Planning Board Chair. - Transmittal of amended rezone petition of Lancastershire.	R & F _____ _____ _____

32X1

COMMUNICATIONS CONT'D.:DISPOSITION

1082. Town Engineers to Town Board - Recommend issuance of dumping permit for Glenn Schilling.	R & F
1083. NYSDEC to Supervisor - Recommendations re: regulatory requirements - fill placement and construction of structures.	PLANNING COMMITTEE
1084. Police Chief to Public safety Comm. Chair. and Supervisor - Recommendation of Doroth Kauschinger to position of Crossing Guard.	R & F
1085. Lancaster Village Mayor to County Executive - Request review and redesign of Como Park Blvd. reconstruction re: removal of trees.	R & F
1086. NYSDEC to Supervisor - Comments re: Marianaccio rezoning petition.	R & F
1087. Councilman Giza to Town Board - Report - attendance at Nat'l Assoc. of Towns and Townships.	R & F
1088. Planning Board Chairman to Town Clerk - Minutes for meeting 9/19/90.	R & F
1089. Planning Board Chairman to Town Clerk - Approved sketch plan for Grafton Park Sub. -	R & F
1090. Town Engineer to Town Board - Recommend approval of dumping permit for G. Schilling, 210 Siebert Rd. KAI File 2178B.	R & F
1091. Russell & MaryJane Gangloff to Town Board - Letter expressing concerns of sidewalks not being installed on Pleasantview and Stony- Brook Drive.	BUILDING INSPECTOR SUPERVISOR ENGINEER
1092. Building Inspector to Town Board - Seeks Building Permit No. 583 be tabled.	R & F
Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following communications - SUSPENSION GRANTED.	
1093. Town Clerk to Town Board - Contracts due to expire 12/31/90.	ATTORNEY
1094. Town Attorney to Richard Weber - Re: revised plan for Lancastershire Town- houses; documentation for sewer tap required.	R & F
1095. Building Inspector to Town Board - Consider changing Plumbing Code, Chapter 37 to conform with State Code.	BUILDING INSPECTOR
1096. Building Inspector to Town Board - Favorable comments re. Dumping Permit - Siebert Road.	R & F
1097. Property Manager to Town Board - Seeks permission to hold auction 10/17/90.	R & F
1098. Town Clerk to Town Board - Monthly report for September 1990.	R & F
1099. Town Assessor to Town Board - School Taxes Generated by Special Franchise Assess. - Utility Co. Assess. in the public right of way.	TOWN ATTORNEY

32X1

COMMUNICATIONS CONT'D.:

DISPOSITION

1100. Working Crew Chief to Town Board - Recommendation to accept bid of REPOO for thermal storage units.	<u>TOWN ATTORNEY FOR</u> <u>SUSPENDED RESOLUTION</u>
1101. Town Assessor to Supervisor - PRESS RELEASE - School District Tax Warrants within the Town of Lancaster.	<u>R & F</u>
1102. NYSDEC to Supervisor - Ecological assessment of woodlot east of Red Rood Inn on Maple Rd.	<u>R & F</u>
1103. Budget Officer to Town Board - BUDGET MESSAGE - 1991.	<u>R & F</u>

ADJOURNMENT

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD
AND CARRIED, the meeting was adjourned at 10:30 P.M. out of respect to:

CECELIA HARTER

SIGNED Robert L. Thill

32X1